(1) (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

W.P. No. 3304 **/2006** **SINGLE BENCH**

P.R. No. 26426
Presented by Regd. Post
Dated 12/5/06

Petitioner: Rajendra Prasad Nishad S/o Late Sri Shyam lal Nishad , aged about 41 years, R/o Village- Dudga, Tahsil-Katghora, District-Korba (C.G.).

Versus

Respondents:

1. State of Chhattisgarh, through Secretary, General Administration Department, DKS Bhawan, Raipur.
2. Assistant Commissioner, Tribal Welfare, Korba.
3. Collector (Tribal Welfare Dept.), Korba.
4. Sub Divisional Educational Officer, Tribal Welfare, Katghora, District Korba.
5. The State of Madhya Pradesh, Through Principle Secretary, Vallab Bhawan, Bhopal, (M.P).
6. Union of India, Through Secretary, Department of Personnel and Training, New Delhi.

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... **विरुद्ध** .....

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.7.2006

Shri Ratan Pusty, for the petitioner.

Shri A.S. Kachhawaha, Govt. Adv. for the State on advance copy.

Shri S.K. Beriwal, Standing Counsel for Union of India on advance copy.

Heard.

The main grievance raised by the petitioner in this petition is that the father of the petitioner was voluntarily retired on 24.12.1992., as he was declared medically unfit on 12.11.1992 on account of mentally unsoundness and on that ground the application of the petitioner for compassionate appointment was also rejected by respondent No.2 vide order dated 10.11.1994, whereas, in fact the petitioner's father has not sought any voluntary retirement.

The petitioner's father was retired on 24.12.1992 and since last 14 years, the father of the petitioner has not challenged the order dated 24.12.1992 that he had not sought voluntary retirement. Moreover, the petitioner's application for compassionate appointment was rejected on that ground only on 10.11.1994 and now the petitioner has filed this petition after elapse of 12 years. Therefore, the petition is hopelessly belated and no cognizance can be taken on it and accordingly, the petition is dismissed on the ground of delay and latches.

Sd/-
L.C. Bhadoo
Judge

(पीछे देखिये)